

IC 25-29

ARTICLE 29. PODIATRISTS

IC 25-29-1

Chapter 1. Regulation of Podiatrists

IC 25-29-1-0.5

Unauthorized practice of podiatric medicine; excluded activities

Sec. 0.5. (a) This article, as it relates to the unlawful or unauthorized practice of podiatric medicine, does not apply to any of the following:

- (1) A student in training in a podiatric medical school approved by the board, or while performing duties as an intern or a resident in a hospital under the supervision of the hospital's podiatric staff or in a program approved by the board.
- (2) An individual who renders service in case of emergency when no fee or other consideration is contemplated, charged, or received.
- (3) Commissioned podiatric medical officers or podiatric medical service officers of the armed forces of the United States, the United States Public Health Service, and podiatric medical officers of the United States Department of Veterans Affairs in the discharge of their official duties in Indiana who are also licensed to practice podiatric medicine in another jurisdiction in the United States.
- (4) An individual who is licensed to practice podiatric medicine in another jurisdiction, and is called in for consultation by an individual licensed to practice podiatric medicine in Indiana.
- (5) An individual administering a domestic or family remedy to a member of the individual's family.
- (6) A member of a church practicing the religious tenets of the church if the member does not make a medical diagnosis, prescribe or administer drugs or medicines, perform surgical or physical operations, or assume the title of or profess to be a podiatrist.
- (7) A school corporation and a school employee who acts under IC 34-30-14 (or IC 34-4-16.5-3.5 before its repeal).
- (8) A chiropractor practicing the chiropractor's profession under IC 25-10 or to an employee of a chiropractor acting under the direction and supervision of the chiropractor under IC 25-10-1-13.
- (9) A nurse practicing the nurse's profession under IC 25-23.
- (10) A pharmacist practicing the pharmacist's profession under IC 25-26.
- (11) A physical therapist practicing the physical therapist's profession under IC 25-27.
- (12) A physician or an osteopath practicing the physician's or osteopath's profession under IC 25-22.5.

(13) An employee, including a licensed podiatrist's assistant, of a podiatrist or group of podiatrists who performs an act, a duty, or a function that is customarily within the specific area of practice of the employing podiatrist or group of podiatrists, if the act, duty, or function is performed under the direction and supervision of the employing podiatrist or a podiatrist of the employing group within whose area of practice the act, duty, or function falls. An employee may not make a diagnosis or prescribe a treatment and must report the results of an examination of a patient conducted by the employee to the employing podiatrist or the podiatrist of the employing group under whose supervision the employee is working. An employee may not administer medication without the specific order of the employing podiatrist or a podiatrist of the employing group. Unless an employee is licensed or registered to independently practice in a profession described in subdivisions (8) through (12), nothing in this subsection grants the employee independent practitioner status or the authority to perform patient services in an independent practice in a profession.

(14) A hospital licensed under IC 16-21 or IC 12-25.

(15) A health care organization whose members, shareholders, or partners are individuals, partnerships, corporations, facilities, or institutions licensed or legally authorized by this state to provide health care or professional services as:

- (A) a podiatrist;
- (B) a psychiatric hospital;
- (C) a hospital;
- (D) a health facility;
- (E) a registered or licensed practical nurse;
- (F) a physician;
- (G) a chiropractor; or
- (H) a physical therapist.

(b) A person described in subsection (a)(8) through (a)(12) is not excluded from the application of this article if:

- (1) the person performs an act that an Indiana statute does not authorize the person to perform; and
- (2) the act qualifies in whole or in part as the practice of podiatric medicine.

(c) An employment or other contractual relationship between an entity described in subsection (a)(14) through (a)(15) and a licensed podiatrist does not constitute the unlawful practice of podiatric medicine under this article if the entity does not direct or control independent medical acts, decisions, or judgment of the licensed podiatrist. However, if the direction or control is done by the entity under IC 34-30-15 (or IC 34-4-12.6 before its repeal), the entity is excluded from the application of this article as it relates to the unlawful practice of podiatric medicine.

(d) This subsection does not apply to a prescription or drug order

for a legend drug that is filled or refilled in a pharmacy owned or operated by a hospital licensed under IC 16-21-2. A podiatrist licensed in Indiana who permits or authorizes a person to fill or refill a prescription or drug order for a legend drug except as authorized in IC 16-42-19 is subject to disciplinary action under IC 25-1-9. A person who violates this subsection commits the unlawful practice of podiatric medicine under this chapter.

As added by P.L.33-1993, SEC.50. Amended by P.L.2-1995, SEC.99; P.L.1-1998, SEC.133; P.L.42-2011, SEC.57.

IC 25-29-1-1

Repealed

(Repealed by Acts 1982, P.L.113, SEC.91.)

IC 25-29-1-1.1

Definitions

Sec. 1.1. The definitions in this chapter apply throughout this article.

As added by Acts 1981, P.L.222, SEC.221. Amended by P.L.137-1985, SEC.9; P.L.33-1993, SEC.51; P.L.217-1993, SEC.5; P.L.1-1994, SEC.127.

IC 25-29-1-2

Repealed

(Repealed by P.L.33-1993, SEC.74.)

IC 25-29-1-3

Repealed

(Repealed by P.L.33-1993, SEC.74.)

IC 25-29-1-3.1

Repealed

(Repealed by P.L.33-1993, SEC.74.)

IC 25-29-1-4

Repealed

(Repealed by P.L.137-1985, SEC.19.)

IC 25-29-1-4.1

Repealed

(Repealed by P.L.33-1993, SEC.74.)

IC 25-29-1-5

Repealed

(Repealed by P.L.33-1993, SEC.74.)

IC 25-29-1-5.1

Repealed

(Repealed by P.L.33-1993, SEC.74.)

IC 25-29-1-5.2

Repealed

(Repealed by P.L.33-1993, SEC.74.)

IC 25-29-1-6

Repealed

(Repealed by Acts 1981, P.L.222, SEC.296.)

IC 25-29-1-6.1

Repealed

(Repealed by P.L.152-1988, SEC.30.)

IC 25-29-1-7

Repealed

(Repealed by P.L.33-1993, SEC.74.)

IC 25-29-1-8

Repealed

(Repealed by P.L.33-1993, SEC.74.)

IC 25-29-1-9

Repealed

(Repealed by P.L.33-1993, SEC.74.)

IC 25-29-1-9.5

"Agency" defined

Sec. 9.5. "Agency" refers to the Indiana professional licensing agency established by IC 25-1-5-3.

As added by P.L.1-2006, SEC.470.

IC 25-29-1-10

"Board" defined

Sec. 10. "Board" refers to the board of podiatric medicine established by IC 25-29-2-1.

As added by P.L.33-1993, SEC.53.

IC 25-29-1-11

Repealed

(As added by P.L.33-1993, SEC.54. Repealed by P.L.1-2006, SEC.588.)

IC 25-29-1-12

"Podiatric medicine" defined

Sec. 12. (a) "Podiatric medicine" means the diagnosis or medical, surgical (as described in IC 25-22.5-1-1.1(a)(1)(C)), and mechanical treatment of the human foot and related structures.

(b) Podiatric medicine includes the administration of local anesthetics.

As added by P.L.33-1993, SEC.55.

IC 25-29-1-13

"Podiatrist" defined

Sec. 13. "Podiatrist" means an individual who:

- (1) practices podiatric medicine; and
- (2) uses one (1) or more of the following designations:
 - (A) Doctor of podiatric medicine.
 - (B) Podiatric physician.
 - (C) Podiatric surgeon.

As added by P.L.33-1993, SEC.56.

IC 25-29-1-14

"Podiatrist's assistant" defined

Sec. 14. "Podiatrist's assistant" means an individual who is certified under IC 25-29-8.

As added by P.L.33-1993, SEC.57.

IC 25-29-1-15

"Supervising podiatrist" defined

Sec. 15. "Supervising podiatrist" means a licensed podiatrist who has been certified by the board under IC 25-29-8 to supervise a podiatrist's assistant.

As added by P.L.33-1993, SEC.58.

IC 25-29-1-16

"Surgical treatment" defined

Sec. 16. "Surgical treatment" means the incision, excision, or disarticulation of parts of the human foot and related structures to treat a disease, a deformity, or an ailment of the foot. The term does not include the amputation of the entire foot, but does include the amputation of an entire toe if the amputation is performed at an institution:

- (1) that is approved by a joint commission of accredited hospital organizations; and
- (2) where comanagement of the patient is being performed by a physician licensed under IC 25-22.5.

As added by P.L.33-1993, SEC.59.